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EXAMINER

DUNSTON, JENNIFER ANN

ART UNIT

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1636

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

CONTINUATION SHEET

The amendment filed 11/13/2008 under 37 CFR 1.116 in reply to the final rejection has NOT been entered. The final Office action, mailed 7/9/2008, is maintained.

The proposed amendment to claim 1 raises new issues that would require further search and consideration. The amendment alters the scope of the claim such that “an amino acid sequence of SEQ ID NO: 1” must include amino acids 242-502 of SEQ ID NO: 1, which was not previously required by the claims. Thus, the altered scope of the claim necessitates further search and consideration. Furthermore, the addition of new claim 13 would also require further search and consideration. The claims did not previously require a protein consisting of SEQ ID NO: 1.

With regard to Applicant’s arguments directed to the rejections under 35 U.S.C. 112, first paragraph (enablement and written description), all arguments are directed to the newly amended claims. As discussed above, the amendments have not been entered. Therefore, the arguments are moot and will not be addressed.

With regard to Applicant’s arguments directed to the rejections under 35 U.S.C. 102, all arguments are directed to the newly amended claims. As discussed above, the amendments have not been entered. Therefore, the arguments are moot and will not be addressed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer Dunston whose telephone number is 571-272-2916. The examiner can normally be reached on M-F, 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low can be reached at 571-272-0951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jennifer Dunston, Ph.D.
Examiner
Art Unit 1636

/JD/
/Celine X Qian /
Primary Examiner, Art Unit 1636